

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:16-CR-290-1BO

UNITED STATES OF AMERICA

v.

BRANDON AHART HAMPTON,  
Defendant.

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ORDER


This matter came before the Court for defendant's sentencing on May 8, 2018 at Raleigh, North Carolina. For the following reasons, defendant's sentencing is held over pending a hearing on the present mental condition of the defendant.

If a defendant has been found guilty of an offense but not yet been sentenced, and the Court has reasonable cause to believe he is presently suffering from a mental disease or defect for which he is in need of custody for care or treatment in a suitable facility, the Court may, on its own motion, hold a hearing on his present mental condition. 18 U.S.C. § 4244(a). In preparation for such a hearing, the Court may order a psychiatric or psychological examination of the defendant be conducted, and a report filed, in accordance with 18 U.S.C. § 4247(b) and (c).

Defendant's outburst at what would have been his sentencing gave this Court reasonable cause to doubt his competency to be sentenced. The Court incorporates the transcript of the hearing by reference in support of this finding. Because of this, the Court finds a hearing on defendant's present mental condition is warranted. *See* 18 U.S.C. § 4244(a). The Court therefore orders that a psychiatric or psychological examination of defendant be conducted and a report filed with this Court in advance of such a hearing. *See* 18 U.S.C. § 4247(b)-(c).

Accordingly, pursuant to 18 U.S.C. § 4247(b), defendant is hereby committed to the custody of the Attorney General for a period not to exceed thirty days from the date of entry of this order. Counsel for defendant shall be afforded continued access to defendant during the evaluation period.

SO ORDERED, this 8 day of May, 2018.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE